

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

JEFFERY PAUL MARCUM

PLAINTIFF

VERSUS

CIVIL ACTION NO. 3:22-cv-00677-TSL-RPM

LAUDERDALE COUNTY, MISSISSIPPI, et al.

DEFENDANTS

**WAIVER OF THE SERVICE OF SUMMONS**

To: Clerk of Court

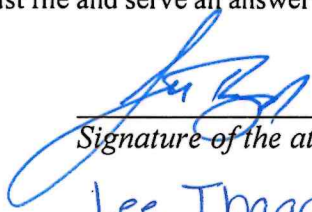
I have received the Court's request to waive service of a summons in this action along with a copy of the complaint and a copy of this waiver form.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the Court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or other motion under Rule 12 within 60 days from the date when this request was sent.

Date: 2-7-2023

  
Signature of the attorney

Lee Thaggard  
Printed name

Captain Brian Fortenberry

Printed name of each party waiving service of summons

505 Constitution Ave, Meridian, ms. 39301

Address

thaggard@btmlegal.com

E-mail address

601-693-2393

Telephone number

**Duty to Avoid Unnecessary Expense of Serving a Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.